

REMARKS

In the outstanding Office Action, the Examiner: (i) rejects claims 1 and 13 under 35 U.S.C. §112, second paragraph, as being indefinite; (ii) rejects claims 1, 2, 5, 6 and 13-17 under 35 U.S.C. §102(b) as being anticipated by a Batey et al. article entitled “Dual Orientation Display;” (hereinafter “Batey”); (iii) rejects claims 3, 7 and 10-12 under 35 U.S.C. §103(a) as being unpatentable over Batey in view of U.S. Patent No. 6,832,381 to Mathur et al. (hereinafter “Mathur”); and (iv) rejects claims 8 and 9 under 35 U.S.C. §103(a) as being unpatentable over Batey in view of Mathur and further in view of U.S. Patent No. 6,163,318 to Fukuda et al. (hereinafter “Fukuda”).

In this response, Applicants: (i) amend claims 1-17; and (ii) traverse the various rejections for at least the following reasons.

Regarding the §112, second paragraph, second paragraph, rejection of claims 1 and 13, Applicants assert that the term “substantially” does not render the claims indefinite. Nonetheless, Applicants have amended the claims to remove the term “substantially” in order to expedite the case to allowance.

Regarding the §102 rejection of claims 1, 2, 5, 6 and 13-17, Applicants assert that Batey fails to teach or suggest all of the limitations in claims 1, 2, 5, 6 and 13-17, for at least the reasons presented below.

It is well-established law that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). Applicants assert that the rejection based on Batey does not meet this basic legal requirement, as will be explained below.

Independent claim 1 recites a method for displaying bi-directional text using a browser program on a computer coupled to drive a display and having an operating system such that the computer normally writes text to the display in a default language in a first, default direction, the method comprising: opening a window on the display; receiving a string of codes, each code corresponding to a character in a passage of text, at least a portion of which is in a non-default

language that is written in a second direction, opposite to the default direction; and displaying the characters corresponding to the codes in the window such that the passage of text is displayed with all portions thereof arranged in respectively appropriate directions, without reference to language support provided by the operating system or the browser program. Independent claim 13 recites an apparatus-based aspect of the invention having similar limitations.

Batey discloses a method wherein directional status information is retained when switching from one orientation to the other in a dual orientation display system.

However, Batey does not disclose “displaying the characters corresponding to the codes . . . such that the passage of text is displayed with all portions thereof arranged in respectively appropriate directions, without reference to language support provided by the operating system or the browser program,” as in the recited claims.

As mentioned in the present specification, at page 2, lines 23-25, aspects of the invention provide for bi-directional entry of text into a computer, without requiring that the computer have the appropriate national language support. Thus, as recited in claims 1 and 13, the characters corresponding to the codes are displayed . . . such that the passage of text is displayed with all portions thereof arranged in respectively appropriate directions, without reference to language support provided by the operating system or the browser program. Batey does not expressly or impliedly disclose such a feature.

In addition, Batey does not disclose “opening a window on the display . . . and displaying the characters corresponding to the codes [associated with a passage of text, at least a portion of which is in a non-default language that is written in a second direction, opposite to the default direction] in the window such that the passage of text is displayed with all portions thereof arranged in respectively appropriate directions.” That is, Batey neither expressly nor impliedly mentions the opening of a window in which the characters corresponding to the codes are displayed.

The Office Action mentions the claimed window is inherent in Batey. However, Batey does not contain the disclosure which is necessary to support a rejection of a claim on the basis of inherency. According to the Court of Customs and Patent Appeals (CCPA), “[i]nherency does not mean that a thing might be done, or that it might happen, ...; but it must be disclosed, if inherency is

claimed, that the thing will necessarily happen.” *In re Draeger et al.*, 150 F.2d 572, 574 (CCPA 1945) (emphasis supplied). Furthermore, well settled law “requires that inherency may not be established by possibilities and probabilities . . . [t]he evidence must show that the inherency is necessary and inevitable.” *Interchemical Corp. v. Watson*, 145 F.Supp. 179, 182, 111 USPQ 78, 79 (D. D.C. 1956) (emphasis supplied), *aff’d*, 251 F.2d 390, 116 USPQ 119 (D.C. Cir. 1958).

Applicants assert that there is no reasonable basis for an assertion that the visual display unit of Batey necessarily includes the claimed window. “In relying upon the theory of inherency, the examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic *necessarily* flows from the teachings of the applied prior art.” *Ex parte Levy*, 17 USPQ2d 1461, 1464 (Bd. Pat. App. & Inter. 1990) (emphasis in original). No such basis and/or technical reasoning has been provided by the Examiner.

For at least the above reasons, Applicants assert that claims 1 and 13 are patentable over Batey. In addition, Applicants assert that claims 2, 5, 6 and 14-17 are patentable over Batey not only due to their respective dependence on claims 1 and 13, but also because such dependent claims recite patentable subject matter in their own right.

Regarding the §103 rejection of claims 3, 7 and 101-12 based on the combination of Batey and Mathur, Applicants assert that the combination fails to disclose all of the limitations of said claims.

Claim 3 recites displaying a keyboard in the non-default language on the computer display and receiving an input from the user responsive to the displayed keyboard. The Office Action cites column 11, lines 1-35 of Mathur in rejecting the claimed feature. However, as clearly explained at the cited portion of Mathur, Mathur is describing a touch screen-based handwriting recognition engine, wherein a user uses a stylus to enter “ink” strokes representative of characters. However, nowhere does Mathur (and thus the combination) disclose that “a keyboard in the non-default language is displayed on the computer display,” as recited in claim 3. In fact, the use of a touch-screen-based handwriting recognition engine would preclude the use of a displayed keyboard in the non-default language.

Claim 7 recites reading codes of characters located in an area of the display overlaid by the window. The Office Action cites column 6, lines 45-67, of Fukuda (not Mathur) in rejecting the claimed feature. Nonetheless, it is completely unclear what Fukuda's discussion of overlapped or non-overlapped window graphs has to do with the claimed feature of reading codes of characters located in an area of the display overlaid by the window. Thus, the combination is deficient.

Claims 10-12 recite, respectively, translating the codes of the characters on the display so that they appear in the window in an alphabet of the non-default language (claim 10), wherein translating the codes of the characters comprises reversing an order of the converted characters so that they appear in their correct order in the non-default language (claim 11), and wherein reversing the order of the characters comprises reversing an order of at least some of the characters in the window responsive to an order switch invoked by a user of the computer (claim 12). The Office Action, at page 6, states without explanation that these claims are rejected under similar rationale for rejecting claims 3 and 7. However, it is completely unclear where any support may be found in Batey/Mathur/Fukuda combination for the claimed features.

Regarding the §103 rejection of claims 8 and 9 based on the combination of Batey, Mathur, and Fukuda, Applicants assert that the combination fails to disclose all of the limitations of said claims.

Claims 8 and 9 respectively recite opening the window comprises adjusting coordinates of the window so as to contain characters on the display corresponding to the string (claim 8), and receiving the string of codes comprises cutting and pasting characters on the display corresponding to the string so as to be contained the window (claim 9).

The Office Action cites column 5, lines 1-17, of Fukuda in rejecting these claimed features. However, this portion of Fukuda discusses adjusting "depths" associated with windows so as to avoid overlapping. Again, it is completely unclear how Fukuda (and thus, the cited combination) teaches these claimed features.

Applicants also assert that any combination of Batey with Mathur and/or Fukuda is improper since the Examiner has not established legally sufficient motivation for combining the references. In addition, the references are not combinable since they provide different solutions to different problems in different technical areas.

In view of the above, Applicants believe that claims 1-17 are in condition for allowance, and respectfully request withdrawal of the §112, §102(b), and §103(a) rejections.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William E. Lewis", with a stylized flourish at the end.

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